



State of Connecticut
OFFICE OF CHIEF PUBLIC DEFENDER

30 TRINITY STREET - 4TH FLOOR
HARTFORD, CONNECTICUT 06106
TEL: 860-509-6403
FAX: 860-509-6495

ATTORNEY BRIAN S. CARLOW
DEPUTY CHIEF PUBLIC DEFENDER

Testimony of
Brian S. Carlow, Deputy Chief Public Defender
Office of Chief Public Defender

Raised Bill No. 542
An Act Concerning the Taking of a DNA Sample from Convicted Persons
Judiciary Committee Public Hearing
March 6, 2009

The Office of Chief Public Defender opposes *Raised Bill No. 542, An Act Concerning the Taking of a DNA Sample from Convicted Persons* to the extent that it seeks to expand those required to give DNA samples to persons convicted of class A or B misdemeanors. While this office has in the past not objected to DNA samples being given by those convicted of felonies, expanding that group to those convicted of misdemeanors is overly broad and unnecessary.

If this proposal became law, those convicted of Breach of the Peace and Larceny in the Fifth Degree would be required to give DNA samples upon conviction. While the balancing of privacy interests versus the enhancement of law enforcement may tip in favor of enhanced law enforcement once one has been convicted of a felony, we would submit that such balance tips strongly in favor of privacy interests when the group involved has simply been convicted of a misdemeanor. The greatly increased numbers would not only greatly increase the cost of obtaining, testing and downloading the samples, but would also likely result in the delay of obtaining, testing and downloading the genetic samples of those convicted of felonies.

For the reasons stated, the Office of Chief Public Defender requests that this bill as drafted not be adopted.